

## APPRJOURNAL OF THE HOUSE

## Sixty-seventh Legislative Assembly

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Bismarck, February 11, 2021

The House convened at 1:00 p.m., with Speaker K. Koppelman presiding.

The prayer was offered by Pastor Bob Cornaci, Good Shepherd Lutheran Church, Bismarck.

The roll was called and all members were present except Representatives Boe, Fegley, Kempenich, and Trottier.

A quorum was declared by the Speaker.

**MOTION**

**REP. LOUSER MOVED** that HB 1410, which is on the Sixth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Rep. Louser's motion, HB 1410 was rereferred.

**SIXTH ORDER OF BUSINESS**

**SPEAKER K. KOPPELMAN DEEMED** approval of the amendments to HB 1134, HB 1185, HB 1260, HB 1314, HB 1316, HB 1359, HB 1393, and HB 1425.

HB 1425, as amended, was rereferred to the **Appropriations Committee**.

HB 1134, HB 1185, HB 1260, HB 1314, HB 1316, HB 1359, and HB 1393, as amended, were placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MOTION**

**REP. LOUSER MOVED** that House Rule 509 be amended temporarily to replace ten legislative days with fifteen legislative days, which motion prevailed.

**MOTION**

**REP. LOUSER MOVED** that HB 1458 be returned to the House floor from the **Finance and Taxation Committee** for the purpose of withdrawal, which motion prevailed on a voice vote.

**REQUEST**

**REP. NEHRING REQUESTED** the unanimous consent of the House to withdraw HB 1458. There being no objection, it was so ordered by the Speaker.

**MOTION**

**REP. LOUSER MOVED** that HB 1490 be returned to the House floor from the **Government and Veterans Affairs Committee** for the purpose of withdrawal, which motion prevailed on a voice vote.

**REQUEST**

**REP. MAGRUM REQUESTED** the unanimous consent of the House to withdraw HB 1490. There being no objection, it was so ordered by the Speaker.

**MOTION**

**REP. LOUSER MOVED** that HB 1464, which is on the Eleventh order, be laid over one legislative day, which motion prevailed on a voice vote.

**SECOND READING OF HOUSE BILL**

**HB 1298:** A BILL for an Act to create and enact a new section to chapter 14-02.4 of the North Dakota Century Code, relating to participation in athletic events exclusively for males or females.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has

committee recommendation of DO PASS, the roll was called and there were 65 YEAS, 26 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker; Bellew; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fisher; Hatlestad; Headland; Heinert; Hoverson; Johnson, D.; Jones; Kading; Karls; Kasper; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Meier; Monson; Nathe; Nehring; Nelson, J.; Owens; Paulson; Paur; Pollert; Porter; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Simons; Skroch; Steiner; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Zubke; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, P.; Beltz; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hagert; Hanson; Howe; Ista; Johnson, M.; Keiser; Martinson; Mitskog; Mock; Nelson, M.; O'Brien; Ostlie; Pyle; Roers Jones; Schneider; Schreiber-Beck; Stemen; Westlind

**ABSENT AND NOT VOTING:** Boe; Fegley; Kempenich

Engrossed HB 1298 passed.

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### SECOND READING OF HOUSE BILL

**HB 1403:** A BILL for an Act to amend and reenact section 57-36-32 of the North Dakota Century Code, relating to an increase in the tax on cigarettes; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 66 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, P.; Bosch; Boschee; Brandenburg; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Johnson, M.; Keiser; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Sanford; Schneider; Schreiber-Beck; Westlind; Zubke

**NAYS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Jones; Kading; Karls; Kasper; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Nathe; Nehring; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Satrom; Schatz; Schauer; Schmidt; Schobinger; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Fegley; Kempenich

HB 1403 failed.

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### SECOND READING OF HOUSE BILL

**HB 1422:** A BILL for an Act to amend and reenact sections 57-36-25, 57-36-26, 57-36-31, and 57-36-32 of the North Dakota Century Code, relating to the tax imposed on cigarettes and tobacco products; and to provide an effective date.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 33 YEAS, 58 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, D.; Anderson, P.; Bosch; Boschee; Brandenburg; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Johnson, D.; Johnson, M.; Keiser;

Klemin; Kreidt; Mitskog; Mock; Monson; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Richter; Sanford; Satrom; Schauer; Schneider; Schreiber-Beck; Strinden; Westlind; Zubke

**NAYS:** Anderson, B.; Becker; Bellew; Beltz; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Jones; Kading; Karls; Kasper; Kiefert; Koppelman, B.; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Nathe; Nehring; Owens; Paulson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Schatz; Schmidt; Schobinger; Simons; Skroch; Steiner; Stemen; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Fegley; Kempenich

HB 1422 failed.

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### SECOND READING OF HOUSE BILL

**HB 1164:** A BILL for an Act to amend and reenact section 54-03-32 of the North Dakota Century Code, relating to the review of presidential executive orders.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 13 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Becker; Bellew; Beltz; Bosch; Brandenburg; Christensen; Cory; Damschen; Delzer; Devlin; Dockter; Ertelt; Fegley; Fisher; Hagert; Hatlestad; Headland; Heinert; Hoverson; Howe; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schobinger; Schreiber-Beck; Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trottier; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**NAYS:** Adams; Anderson, P.; Boschee; Buffalo; Dobervich; Guggisberg; Hager; Hanson; Ista; Mitskog; O'Brien; Roers Jones; Schneider

**ABSENT AND NOT VOTING:** Boe; Kempenich

Engrossed HB 1164 passed.

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### SECOND READING OF HOUSE BILL

**HB 1230:** A BILL for an Act to amend and reenact section 25-13-01.1 of the North Dakota Century Code, relating to the definition of a service animal.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Adams; Anderson, B.; Anderson, D.; Anderson, P.; Becker; Bellew; Beltz; Bosch; Boschee; Brandenburg; Buffalo; Christensen; Cory; Damschen; Delzer; Devlin; Dobervich; Dockter; Ertelt; Fegley; Fisher; Guggisberg; Hager; Hanson; Hatlestad; Headland; Heinert; Hoverson; Howe; Ista; Johnson, D.; Johnson, M.; Jones; Kading; Karls; Kasper; Keiser; Kiefert; Klemin; Koppelman, B.; Kreidt; Lefor; Longmuir; Louser; Magrum; Marschall; Martinson; Meier; Mitskog; Mock; Monson; Nathe; Nehring; Nelson, J.; Nelson, M.; O'Brien; Ostlie; Owens; Paulson; Paur; Pollert; Porter; Pyle; Richter; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schauer; Schmidt; Schneider; Schobinger; Schreiber-Beck;

Simons; Skroch; Steiner; Stemen; Strinden; Thomas; Toman; Trotter; Tveit; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Koppelman, K.

**ABSENT AND NOT VOTING:** Boe; Kempenich

Engrossed HB 1230 passed.

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**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**  
**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HB 1088, HB 1282, HB 1374.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**  
**MR. SPEAKER:** The Senate has passed, and your favorable consideration is requested on: SB 2253, SB 2294, SB 2336, SB 2340.

**MOTION**

**REP. LOUSER MOVED** that the absent members be excused, which motion prevailed on a voice vote.

**MOTION**

**REP. LOUSER MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:30 p.m., Friday, February 12, 2021, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**HB 1005: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (18 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1005 was placed on the Sixth order on the calendar.

Page 1, line 1, after "treasurer" insert "; and to amend and reenact section 54-11-13 of the North Dakota Century Code, relating to the salary of the state treasurer"

Page 1, replace lines 8 through 14 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Salaries and wages	\$1,383,141	\$46,649	\$1,429,790
Operating expenses	192,229	(46,806)	145,423
Coal severance payments	<u>171,000</u>	<u>(53,000)</u>	<u>118,000</u>
Total general fund	\$1,746,370	(\$53,157)	\$1,693,213
Full-time equivalent positions	7.00	0.00	7.00"

Page 1, after line 19, insert:

**"SECTION 3. AMENDMENT.** Section 54-11-13 of the North Dakota Century Code is amended and reenacted as follows:

**54-11-13. Salary of state treasurer.**

The annual salary of the state treasurer is one hundred ~~seventwelve~~ thousand ~~eight~~two hundred ~~eighty five~~forty-one dollars through June 30, ~~2020~~2022, and one hundred ~~ten~~thirteen thousand ~~five~~nine hundred ~~eighty two~~twenty-five dollars thereafter."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**House Bill No. 1005 - State Treasurer - House Action**

	Base Budget	House Changes	House Version
Salaries and wages	\$1,383,141	\$46,649	\$1,429,790

Operating expenses	192,229	(46,806)	145,423
Coal severance payments	171,000	(53,000)	118,000
Total all funds	\$1,746,370	(\$53,157)	\$1,693,213
Less estimated income	0	0	0
General fund	\$1,746,370	(\$53,157)	\$1,693,213
FTE	7.00	0.00	7.00

**Department 120 - State Treasurer - Detail of House Changes**

	Adjusts Funding for Base Payroll Changes <sup>1</sup>	Adds Funding for Salary and Benefit Increases <sup>2</sup>	Adjusts Funding for Operating Expenses <sup>3</sup>	Decreases Funding for Coal Severance Payments <sup>4</sup>	Total House Changes
Salaries and wages	\$13,259	\$33,390			\$46,649
Operating expenses			(\$46,806)		(46,806)
Coal severance payments				(\$53,000)	(53,000)
Total all funds	\$13,259	\$33,390	(\$46,806)	(\$53,000)	(\$53,157)
Less estimated income	0	0	0	0	0
General fund	\$13,259	\$33,390	(\$46,806)	(\$53,000)	(\$53,157)
FTE	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted for base payroll changes.

<sup>2</sup> The following funding is added for 2021-23 biennium salary adjustments of 1.5 percent on July 1, 2021, and July 1, 2022, with a minimum monthly increase of \$100 and a maximum monthly increase of \$250, and increases in health insurance premiums from \$1,427 to \$1,429 per month:

<u>General Fund</u>	
Salary increase	\$33,048
Health insurance increase	342
Total	\$33,390

<sup>3</sup> Funding for operating expenses is adjusted as follows:

<u>General Fund</u>	
Decreases funding primarily related to information technology costs	(\$47,577)
Increases funding for Microsoft Office 365 licensing expenses	771
Total	(\$46,806)

<sup>4</sup> Funding is reduced for the estimated coal severance payments related to the allocation formula change in Section 4 of House Bill No. 1005 (2017) and anticipated coal production levels.

This amendment also adds a section to provide the statutory changes necessary to increase the State Treasurer's salary from the current salary of \$110,582 to \$112,241 (1.5 percent) in fiscal year 2022 and to \$113,925 (1.5 percent) in fiscal year 2023.

**REPORT OF STANDING COMMITTEE**

**HB 1025: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (20 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1025 was placed on the Sixth order on the calendar.

Page 1, line 2, after the semicolon insert "to provide for payment of court-ordered judgments; to provide a statement of legislative intent;"

Page 1, line 5, after "fund" insert "and state disaster relief fund"

Page 1, remove lines 10 through 21

Page 2, line 4, replace "5" with "2"

Page 2, remove lines 5 through 16

Page 2, replace lines 18 through 20 with:

"Loan repayment - disaster costs	<u>\$3,130,540</u>
Total state disaster relief fund	\$3,130,540"

Page 2, line 21, replace "9" with "3"

Page 2, after line 21, insert:

"BANK OF NORTH DAKOTA

Loan repayment - Theodore Roosevelt presidential library endowment fund	<u>\$17,500,000</u>
Total general fund	\$17,500,000

Subdivision 4."

Page 2, replace line 23 with:

"Grand total general fund	\$21,540,000
Grand total state disaster relief fund	<u>3,130,540</u>
Grand total all funds	\$24,670,540

**SECTION 2. PAYMENT OF COURT-ORDERED JUDGMENTS.** From the litigation funding pool line item in section 1 of chapter 40 of the 2019 Session Laws, the office of management and budget shall make payments for court-ordered judgments in accordance with section 32-12-04, during the period beginning with the effective date of this Act and ending June 30, 2021, on behalf of the following:

Secretary of state	\$97,587
Office of management and budget	596,893
Attorney general	<u>181,152</u>
Total payments	\$875,632

**SECTION 3. LEGISLATIVE INTENT - COST REIMBURSEMENTS - LOAN REPAYMENTS.** It is the intent of the sixty-seventh legislative assembly that the attorney general seek reimbursement from the federal government for the costs of responding to unlawful activity associated with the construction of the Dakota access pipeline. It is further the intent of the sixty-seventh legislative assembly that these reimbursements be used to repay the Bank of North Dakota loans authorized by the emergency commission and the legislative assembly which were obtained to provide the funding necessary to respond to the unlawful activity associated with the construction of the Dakota access pipeline. It is further the intent of the sixty-seventh legislative assembly that the provisions of section 54-16-13 apply to the loans, except that emergency commission approval does not apply."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment:

- Removes the \$474,657 general fund deficiency appropriation for North Dakota State University relating to litigation expenses;
- Removes the \$32,092,680 general fund deficiency appropriation for the State Department of Health relating to Coronavirus (COVID-19) costs;
- Removes the \$14,064,916 general fund deficiency appropriation for the Adjutant General to repay a Bank of North Dakota loan relating to the Dakota Access Pipeline protest costs and adds a section of legislative intent relating to the loan repayment;
- Removes the \$1.4 million general fund deficiency appropriation for the Department of Environmental Quality relating to a wastewater testing project;
- Decreases the amount for Adjutant General loan repayments relating to disaster costs by \$4,931,760, from \$8,062,300 to \$3,130,540, and changes the funding source from the general fund to the state disaster relief fund;

- Adds a \$17.5 million general fund deficiency appropriation to the Bank of North Dakota to repay a portion of the \$35 million loan obtained for the Theodore Roosevelt Presidential Library and Museum endowment fund; and
- Removes deficiency appropriations for the Secretary of State, Office of Management and Budget, and the Attorney General to pay court-ordered judgments and adds a section providing for the payment of these judgments, as adjusted, to be made from the litigation funding pool of the Office of Management and Budget appropriated by the 2019 Legislative Assembly.

**REPORT OF STANDING COMMITTEE**

**HB 1072, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 8 NAYS, 3 ABSENT AND NOT VOTING). Engrossed HB 1072 was placed on the Sixth order on the calendar.

Page 2, line 9, after "7." insert "In addition to the fees required by section 39-06-49 for an operator's license, a substitute operator's license, and an operator's license renewal:

- a. An initial fee of five dollars is required from a licensed motor vehicle operator seeking to possess an electronic operator's license; and
- b. The fee for an electronic operator's license renewal is five dollars.

8."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1081: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1081 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1094: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1094 was placed on the Sixth order on the calendar.

Page 1, line 19, overstrike "Agriculture commissioner."

Page 1, line 20, overstrike "l."

Page 1, line 21, overstrike "m." and insert immediately thereafter "l"

Page 1, line 22, overstrike "n." and insert immediately thereafter "m."

Page 1, overstrike lines 23 and 24

Page 2, line 1, overstrike "q."

Page 2, line 2, after "r" insert "n."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

This amendment removes the requirement for the Agriculture Commissioner, Secretary of State, and State Treasurer to obtain desktop support services from the Information Technology Department.

**REPORT OF STANDING COMMITTEE**

**HB 1141: Appropriations Committee (Rep. Delzer, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1141 was placed on the Sixth

order on the calendar.

Page 1, line 1, replace "an appropriation for" with "a transfer to"

Page 1, line 2, remove "; and to provide a statement of legislative intent"

Page 1, line 4, remove "**APPROPRIATION -** "

Page 1, line 4, after "**TRANSFER**" insert "**- STRATEGIC INVESTMENT AND IMPROVEMENTS FUND**"

Page 1, line 5, remove "**- INTENT**"

Page 1, line 5, remove "There is appropriated out of any"

Page 1, remove line 6

Page 1, line 7, replace "\$25,000,000, or so much of the sum as may be necessary, which the" with "The"

Page 1, line 8, after "transfer" insert "the sum of \$15,000,000 from the strategic investment and improvements fund"

Page 1, line 10, remove "It is the intent of the sixty-seventh legislative assembly that the funds"

Page 1, remove lines 11 and 12

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HB 1207: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1207 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1382: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1382 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1384: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1384 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1387: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). HB 1387 was placed on the Eleventh order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HB 1402: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1402 was placed on the Sixth order on the calendar.

Page 1, line 2, after "system" insert "; and to provide an effective date"

Page 1, line 13, remove "five miles [8.05 kilometers] of the North"

Page 1, line 14, replace "Dakota border" with "a bordering state"

Page 1, line 15, replace "identified" with "pursuant to the rules adopted"

Page 1, line 15, after the underscored period insert "The department shall develop rules to include processes and requirements for an out-of-state provider to receive reimbursement only for outpatient and community-based services upon a provider completing an assessment of need and receiving approval from the department."

Page 2, after line 2, insert:

**"SECTION 2. EFFECTIVE DATE.** This Act is effective on July 1, 2022."

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1426: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1426 was placed on the Sixth order on the calendar.

Page 2, line 14, after "8" insert an underscored period

Page 2, line 14, remove "\"Eyelash extension application\" means the application, removal, and trimming of"

Page 2, remove lines 15 through 18

Page 2, line 19, remove "9."

Page 2, line 25, replace "10." with "9."

Page 2, line 27, replace "11." with "10."

Page 3, line 1, replace "12." with "11."

Page 3, line 10, replace "13." with "12."

Page 3, line 12, replace "14." with "13."

Page 3, line 14, replace "15." with "14."

Page 3, line 16, replace "16." with "15."

Page 3, line 18, replace "17." with "16."

Page 4, line 6, replace "18." with "17."

Page 4, line 8, replace "19." with "18."

Page 4, line 12, replace "20." with "19."

Page 4, line 16, replace "21." with "20."

Page 4, line 18, replace "22." with "21."

Page 4, line 23, replace "23." with "22."

Page 5, remove line 23

Renumber accordingly

#### REPORT OF STANDING COMMITTEE

**HB 1439: Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1439 was placed on the Eleventh order on the calendar.

#### REPORT OF STANDING COMMITTEE

**HB 1486: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends

**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1486 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 5 of section 51-34-01 and"

Page 1, after line 5, insert:

**"SECTION 1. AMENDMENT.** Subsection 5 of section 51-34-01 of the North Dakota Century Code is amended and reenacted as follows:

5. "Telephone record" means information retained by a telephone company ~~that~~which relates to the telephone number dialed by the customer or other person using the customer's telephone with ~~such~~the customer's permission, the incoming number of a call directed to a customer or other person using the customer's telephone with ~~such~~the customer's permission, or other data related to ~~such~~the call typically contained on a customer's telephone bill, including the times the call started and ended, the duration of the call, the time the call was made, and any charges applied. ~~A telephone record~~The term includes text message records and data usage records. The term does not include information collected and retained by a customer utilizing caller identification or similar technology or include a carrier network record."

Page 1, line 19, after "2." insert "To be enforceable, the release under subsection 1 must:

- a. Inform the customer of any person that may receive the customer's telephone record;
- b. Be written in a clear and conspicuous manner on a separate and distinct page from any other contract condition or term; and
- c. Be signed by the customer separately from any other condition or contract term.

3."

Page 1, line 20, overstrike "3." and insert immediately thereafter "4."

Page 2, line 26, overstrike "telephone company" and insert immediately thereafter "governmental entity"

Page 2, line 26, remove the overstrike over "an"

Page 2, line 26, remove "a"

Page 2, line 27, remove "medical"

Page 2, line 28, remove "occurred"

Page 2, line 28, after "individual" insert "has occurred or will occur"

Page 2, line 28, overstrike "the"

Page 2, line 29, after "information" insert "related to the location of the emergency"

Renumber accordingly

#### **REPORT OF STANDING COMMITTEE**

**HCR 3014: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3014 was placed on the Tenth order on the calendar.

#### **REPORT OF STANDING COMMITTEE**

**HCR 3015: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS**

and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3015 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3021: Industry, Business and Labor Committee (Rep. Lefor, Chairman)** recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3021 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3022: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO NOT PASS** (8 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING). HCR 3022 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3030: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3030 was placed on the Tenth order on the calendar.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Klemm, Guggisberg, Longmuir, Owens, Schreiber-Beck, Simons and Sens. Elkin, Oban, Schaible introduced:

**HCR 3035:** A concurrent resolution directing the Legislative Management to consider studying statutes governing career and technical education, including statutes in North Dakota Century Code Chapter 15-20.1 providing for the powers and duties of the state board of higher education, reciprocity with other states, cooperation with federal agencies, funding, reimbursement to institutions, gifts, reporting requirements, grants for innovation, elementary school entrepreneurship programs, career development certifications, career advisers, accessibility, impacts on students, and programs of study.

Was read the first time and referred to the **Education Committee**.

The House stood adjourned pursuant to Representative Louser's motion.

**Buell J. Reich, Chief Clerk**

